367/

DEC 0 8 2003 W

**TRANSMITTAL** 

**FORM** 

PTO/SB/21 (08-03)
Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

10/081,420

February 22, 2002

Martin Roy Piel

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application Number

First Named Inventor

Filing Date

(to be used for all correspondence after initial filing			Art Unit	3671		
		. <u>.</u>	Examiner Name Robert Eric F		Eric Pezzuto	
Total Number	of Pages in This Submission	5	Attorney Docket Number	082380-	-00487	
ENCLOSURES (Check all that apply)						
Fee Transmittal Form  Drawing(s)  After Allowance Communication To a Technological Center (TC)						
Fee Attached			Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences	
Amendment/Reply		☐ Pe	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
☐ After Final			Petition to Convert a Provisional Application		Proprietary Information	
Affidavits/declaration(s)			Power of Attorney, Revocation Change of Correspondence Address		Status Letter	
Extension of Time Request		Те	Terminal Disclaimer		Other Enclosure(s) (please Identify below)	
Express Abandonment Request		□ Re	Request for Refund		See Remarks	
Information Disclosure Statement		☐ cr	CD, Number of CD(s)			
Certified Copy of Priority Document(s)  Remarks  DECEIV					RECEIVED	
Response to Missing Parts/ Incomplete Application		Return receipt postcard			<u>-</u>	
Response to Missing Parts under 37 CFR 1.52 or 1.53					DEC 1 5 2003	
<u> </u>					GROUP 360	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  Firm Lawrence F. Grable Esquire						
or		awrence F. Grable, Esquire  McKinney & Stringer, P.C.				
Individual		01 North Robinson, Suite 1300				
Oklahoma City, Oklahoma 73192						
Signature MAN						
Date December 3, 2003						
CERTIFICATE OF TRANSMISSION/MAILING						
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <a href="December 3, 2003">December 3, 2003</a>						
Typed or printed Lawrence F Strable, Esquire						
Signature		1	LIVI		Date December 3, 2003	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.





## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Martin Roy Piel and John H. Walgren

Serial No.: 10/081,420

Filed:

February 22, 2002

For:

**CUTTING CHAIN** 

Mail Stop Non Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Att'y Dkt. No.: 082380-00487

Group Art Unit: 3671

Examiner: Kristine Marie Florio

## RESPONSE TO OFFICE ACTION OF SEPTEMBER 5, 2003

RECENTED
DEC 1 5 2003
GROUP 3600

## **REMARKS**

The Examiner's Office action mailed September 5, 2003, has been reviewed. Claims 1-46 are pending in this application. Applicants submit the following Remarks in response to the Examiner's Office action. In view of these arguments, Applicants respectfully submit that the application is in condition for allowance.

## Rejections under 35 U.S.C. § 102

The Examiner rejected Claims 1-46 under 35 U.S.C. § 102(b) as being anticipated by Simmons (U.S. 2,575,980). Reconsideration of this rejection is respectfully requested.

Independent claim 1 is directed to a cutting chain comprising a plurality of cutter links with a strap length joining adjacent cutter links forming an endless chain. The cutter link comprises a pair of side plates, a support member bridging the side plates and, at least one cutting member. The support member has an arcuate support surface to which the cutting member is attached. A drag plate is attached to the support member.

Independent claim 11 is directed to a cutter link for a cutter chain. The cutter link comprises a pair of side plates and an arcuate support member bridging the side plates. At least one cutting member is attached to the support member. A drag plate is attached to the support member.